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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/079,857	02/22/2002	Shinsuke Takahashi	Q68660	7570
23373	7590 04/21/2003			
SUGHRUE MION, PLLC			EXAMINER	
2100 PENNSYLVANIA AVENUE, N.W. WASHINGTON, DC 20037			KIM, SANG K	
			ART UNIT	PAPER NUMBER
			3654	
			DATE MAILED: 04/21/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.   Application No.   Application (No.   Application (No							
## Examiner   SANG KIM   3654    ## The MAILING DATE of this communication appears on the cover sheet with the correspondence address  **Period for Reply**  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ½ MONTH(S) FROM THE MAILING DATE of THIS COMMUNICATION.  ■ Extension of time may be available under the provinced 37 CFR 1.35(a). In no event, however, may a sippy be timely filled    ■ If the period for reply is acceled above, the measurum statutory part of which the attatory minimum of thinky (30) days will be considered the period of this communication of the period of reply is acceled above, the measurum statutory part of which the extension of the period of reply is acceled above, the measurum statutory part of which the extension is the three minimals after the mailing date of this communication. The period of reply is acceled above, the measurum statutory part of which the extension is the three minimals after the mailing date of this communication. The period of the period of the communication of the period part of the period of the communication. The period part of the period	,	Application No.	Applicant(s)				
SANG KIM   3654	<b>.</b>	10/079,857	TAKAHASHI ET AL.				
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  I the priod for may be sealible under the provision of 3° CPR 1.13(g). In no event, however, may a right be limitely filled in the priod for reply specified shows a less than thirty (30) days, and a reply be limitely filled in the priod for reply specified shows a less than thirty (30) days, and a reply white the salekulary minimum of thirty (30) days will be considered fromly. If the priod for reply specified shows he has making the priod for reply specified shows the seal of a reflective priod of the governmentation. Sea 3° CPR 1.74(g).  **Status**  **Responsive to communication(s) filled on	Office Action Summary	Examiner	Art Unit				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MALING DATE OF THIS COMMUNICATION.  - business of the many is presented and the provisions and 37 PER 1-35(a). In no event, however, may a reply be timely filled  - business of the many is presented above is less than thiny (30) days, a reply white the statutory minimum of thiny (30) days will be considered timely.  - If NO period for reply a specified above is less than thiny (30) days, a reply white the statutory minimum of thiny (30) days will be considered timely.  - If NO period for reply a specified above is less than thiny (30) days, a reply white the statutory minimum of thiny (30) days will be considered timely.  - If NO period for reply a specified above is less than thiny (30) days, a reply white the statutory minimum of thiny (30) days will be considered timely.  - If NO period for reply a specified above is less than thiny (30) days, a reply white the statutory minimum of thiny (30) days will be considered timely.  - If NO period for reply a specified above, the measurem statutory panel will apply and will expire \$20.00 period to the confidence of the communication.  - Any reply received by the Victio fund that there mentions a description of the specification is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  - All of the above claim(s) is/are allowed.  - Claim(s) is/are allowed.  - Claim(s) is/are allowed.  - Claim(s) is/are rejected to.  - Signification Papers  - Signification is objected to by the Examiner.  - The drawing(s) filled on is/are: a) accepted or b) objected to by the Examiner.  - Application Papers  - Application Papers  - Signification is objected to by the Examiner.  - The drawing(s) filled on is/are: a) accepted or by approved by							
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1)  Responsive to communication(s) filed on  2a)  This action is FINAL. 2b)  This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s)  1-13 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5)  Claim(s) is/are allowed.  6)  Claim(s) is/are rejected.  7)  Claim(s) is/are objected to.  8)  Claim(s) 1-13 are subject to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner.  10)  The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  11)  The proposed drawing correction filed on is: a) approved by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12)  The oath or declaration is objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a)  All b)  Some * c)  None of:  1.  Certified copies of the priority documents have been received.  2.  Certified copies of the priority documents have been received in Application No  3.  Copies of the certified copies of the priority documents have been received.  14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  a)  The translation of the foreign language provisional application has been received.  15)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  a)  The translation of the foreign language provisional application has been received.	THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period was Failure to reply within the set or extended period for reply will, by statute,  - Any reply received by the Office later than three months after the mailing	e6(a). In no event, however, may a reply be within the statutory minimum of thirty (30) ill apply and will expire SIX (6) MONTHS cause the application to become ABANDO	be timely filed  I days will be considered timely.  If the mailing date of this communication.  ONED (35 U.S.C. § 133).				
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## **DETAILED ACTION**

## Election/Restrictions

This application contains claims directed to the following patentably distinct species of the claimed invention:

Species I: Fig. 2.

Species II: Fig. 3A.

Species III: Fig. 3B.

Species IV: Fig. 3C.

Species V: Fig. 3D.

Species VI: Figs. 4-5.

Species VII: Fig. 6.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, there are no generic claims.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include

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all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sang Kim whose telephone number is (703) 305-3712. The examiner can normally be reached Monday through Friday from 8:00 A.M. to 5:30 P.M. alternating Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703) 308-2688. The fax phone numbers are (703) 308-0552 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

SK

4/4/03

KATYY MATECKI SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3600

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